

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KEVIN A. GARY,

Petitioner,

vs.

SHIRLEE A. HARRY,

Respondent.

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Civil Action No. 07-CV-12010

HON. BERNARD A. FRIEDMAN

**ORDER ACCEPTING AND ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Magistrate Judge Paul J. Komives has submitted a Report and Recommendation ("R&R") in which he recommends that petitioner's request for a certificate of appealability be denied. Neither party has objected to the R&R and the time for them to do so has expired. The court has reviewed the R&R and concludes that the magistrate judge has correctly analyzed all of the issues. Accordingly,

IT IS ORDERED that Magistrate Judge Komives' Report and Recommendation is hereby accepted and adopted as the findings and conclusions of the court.

IT IS FURTHER ORDERED that petitioner's request for a certificate of appealability is denied.

Dated: April 12, 2011  
Detroit, Michigan

S/Bernard A. Friedman  
BERNARD A. FRIEDMAN  
SENIOR UNITED STATES DISTRICT JUDGE